

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION

HAMILTON BEACH BRANDS, INC.,

Plaintiff,

v.

Action No. 3:11-CV-345

SUNBEAM PRODUCTS, INC.,
d/b/a JARDEN CONSUMER SOLUTIONS,

Defendant.

THE COURT'S CLAIM CONSTRUCTION ORDER

THIS MATTER is before the Court pursuant to *Markman v. Westview Instruments, Inc.*, 52 F.3d 967 (Fed. Cir. 1995), to construe certain terms contained in U.S. Patent No. 7,947,928 ("928 Patent"). The Court hereby construes the following terms of the claims of the '928 Patent:

1. The claim language "lid having a gasket around an outer edge thereof" ('928 Patent claims 1, 3, 6) is construed as follows: "a gasket generally disposed along the circumference of a lid."
2. The claim language "clip" ('928 Patent all claims) is construed as follows: "a conventional over-the-center latch with a hook and a catch."
3. The claim language "clip mounted between the lid and the side wall of the housing" ('928 Patent claims 1, 3, 6) is construed as follows: "a clip that extends between the side wall of the housing and the lid."

4. The claim language “container rim” (’928 Patent claims 1–4, 6–7) is construed as follows: “the upper portion of the container that includes the ledge adjacent to the container opening.”
5. The claim language “clip being selectively engageable with the lid and side wall of the housing to selectively retain the lid in sealing engagement with the container rim” (’928 Patent claims 1, 3, 6) is construed as follows: “the clip can operate between the lid and the side wall of the housing to keep the lid sealed against the container rim.”
6. The claim language “hook” (’928 Patent claims 1, 3–7) is construed as follows: “the portion of the clip that simultaneously extends or lies, at least partially, in both the vertical and horizontal planes when in the closed or locked position.”

Let the Clerk send a copy of this Order to all counsel of record.

It is SO ORDERED.

<p style="text-align: center;">_____/s/_____ James R. Spencer United States District Judge</p>
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ENTERED this 20th day of December 2011